

Serial No. 09/593,573

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of _____ :	December 17, 2010
O. Casile, et al _____	Group Art No. 2623
Serial No. 09/593,573 _____	Examiner: A.Q. Shang
Filed: June 14, 2000 _____	for IBM Corporation
Anne Vachon Dougherty	
Title: SYSTEM AND METHOD FOR THE	3173 Cedar Road
COORDINATION OF SHORT-TERM	Yorktown Heights,
CYCLIC DATA AND EPHEMERAL	New York 10598
CONTENT IN A BROADCAST STREAM	

Commissioner for Patents
Alexandria, VA 22313-1450

AMENDMENT AFTER DECISION ON APPEAL

Dear Sir:

Pursuant to the Decision on Appeal dated November 11, 2010 for the referenced application, Applicants herein submit the following:

Amendment to the claims as set forth in the Listing of Claims which begins on page 2; and

Remarks which begin on page 8.

Serial No. 09/593,573

LISTING OF CLAIMS

1. (previously presented) A method for providing secondary content related to primary content in a broadcast stream comprising the steps of:

obtaining secondary content which relates to the main primary content;

creating a schedule for cyclic delivery of said secondary data content in a predetermined relation to the non-cyclic broadcasting of the primary content; and
cyclically delivering said secondary content based on said schedule.

2. (original) The method of Claim 1 wherein said scheduling comprises creating a schedule for a first delivery of said secondary content prior to delivery of the primary content and at least one successive delivery of said secondary content after commencement of delivery of the primary content.

3. (original) The method of Claim 2 further comprising dynamically modifying said schedule.

Serial No. 09/593,573

4. (original) The method of Claim 3 wherein said dynamically modifying the schedule comprises adjusting the schedule based on viewer interaction with said secondary content.

5. (original) The method of Claim 1 further comprising generating at least one viewer request for retransmission automatically at viewer's equipment.

6. (original) The method of Claim 5 further comprising receiving said at least one viewer request for retransmission of said secondary content and responding to said at least one viewer request.

7.(original) The method of Claim 5 wherein the automatic generating of at least one viewer request for retransmission from viewer's equipment comprises generating at least one viewer request for retransmission based on at least one of viewer profile information and viewer interaction.

8.(original) The method of Claim 6 wherein said responding to said at least one viewer request for retransmission comprises rebroadcasting the secondary content.

Serial No. 09/593,573

9. (original) The method of Claim 8 further comprising counting the number of viewer requests for retransmission of secondary content and wherein said rebroadcasting is conducted upon receipt of a threshold number of viewer requests for retransmission.

10. (original) The method of Claim 6 wherein said responding to said at least one viewer request comprises narrowcasting the secondary content.

11. (original) The method of Claim 1 additionally comprising displaying notification data for notifying the viewer of said delivering of secondary content.

12. (original) The method of Claim 1 wherein the transport mechanism for said primary content is an analog television broadcast stream, and the transport mechanism for the secondary content comprises a vertical blanking interval within said analog television broadcast stream.

13. (original) The method of Claim 1, wherein the transport mechanism for said primary content is a digital television broadcast stream, and the transport mechanism for the

Serial No. 09/593,573

secondary content is an additional data stream within said digital television broadcast stream.

14. (original) The method of Claim 1, wherein the secondary content comprises content for use by an interactive television application.

15. (original) The method of Claim 1 wherein the secondary content comprises an interactive television application.

16. (original) The method of Claim 1 additionally comprising providing control information with said secondary content.

17. (original) The method of Claim 16 wherein said providing control information comprises including at least one of a unique identifier for said secondary content, an identification of said primary content to which the secondary content pertains, scheduling information for future broadcasting of secondary content, and timing information regarding relating said secondary content to said primary content.

Serial No. 09/593,573

18. (original) The method of Claim 5 further comprising selectively transmitting said at least one viewer request.

19. (previously presented) A system for providing secondary content related to primary content in a broadcast stream comprising:

an authoring station for creating a schedule for cyclic delivery of said secondary data content in a predetermined relation to the non-cyclic broadcasting of the primary content; and

a broadcast component for cyclically delivering said secondary content based on said scheduling.

20. (original) The system of Claim 19 wherein said broadcast component further comprises means for generating at least one additional retransmission of said secondary content in response to at least one request.

21. (original) The system of Claim 20 wherein said means for generating at least one additional retransmission comprises means for transmitting said secondary content over a telephone transmission channel.

Serial No. 09/593,573

22. (original) The system of Claim 20 wherein said means for generating at least one additional retransmission comprises means for transmitting said secondary content over a coaxial cable.

23. (original) The system of Claim 20 wherein said means for generating at least one additional retransmission comprises means for transmitting said secondary content over a wireless return channel.

24. (canceled)

25. (canceled)

26. (original) The apparatus of Claim 24 additionally comprising a request component for generating a request for retransmission of said secondary content from said broadcast location.

27-30. (canceled)

REMARKS

In the Decision on Appeal dated November 18, 2010, the Board of Patent Appeals and Interferences (BPAI) rendered a decision regarding the pending claims, Claims 1-24 and 26 of the present application.

The BPAI affirmed the Examiner's rejection of Claim 24. By the present Amendment, Applicants cancel Claim 24.

The BPAI reversed the Examiner's rejections of Claims 1-23 and 26. Based on the Decision on Appeal, Applicants respectfully request that Claims 1-23 and 26 be passed to issuance.

Respectfully submitted,
O. Casile, et al

By: /Anne Vachon Dougherty/
Anne Vachon Dougherty
Registration No. 30,374
Tel. (914) 962-5910